

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION**

DEANDRE HARRIS,

*Plaintiff,*

v.

JASON KESSLER, *et al.*,

*Defendants.*

CASE NO. 3:19-cv-00046

**ORDER**

JUDGE NORMAN K. MOON

On November 30, 2020, this Court entered a memorandum opinion and order granting the motion to dismiss filed by Defendants League of the South, Michael Hill and Michael Tubbs (“Movant-Defendants”). Dkt. 94. In that decision, the Court explained that “[t]he scant allegations in the complaint concerning Movant-Defendants stand in stark contract to those that have been found sufficient” in another case arising out of the Unite the Right rallies, *Sines v. Kessler*. Dkt. 94 at 5 (citing *Sines v. Kessler*, 324 F. Supp. 3d 765, 776–79, 792–93 (W.D. Va. 2018)). While the Court granted Movant-Defendants’ motion to dismiss, the Court further ruled that “such dismissal shall be *without prejudice*,” and stated that “Plaintiff shall have **leave to amend** his complaint within **twenty-one (21) days**.” *Id.* at 6 (emphasis in original).

Twenty-one days have passed. Plaintiff’s counsel has not filed an amended complaint, as this Court had allowed. Nor has Plaintiff’s counsel filed anything in the interim that would explain the failure to amend. Accordingly, the Court will **dismiss with prejudice** Plaintiff’s claims against Movant-Defendants League of the South, Michael Hill and Michael Tubbs, and further **DIRECTS** the Clerk of Court to terminate those parties as defendants in this action.

It is so **ORDERED**.

The Clerk of Court is directed to send this Order to the parties.

Entered this 28th day of December, 2020.

  
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NORMAN K. MOON  
SENIOR UNITED STATES DISTRICT JUDGE